

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Joseph W. Chalifoux

v.

Civil No. 14-cv-136-SM

Jennifer M. Chalifoux et al.¹

O R D E R

Pro se plaintiff Joseph Chalifoux has filed a Third Amended Complaint (doc. no. 7), in forma pauperis. The matter is before the Court for preliminary review, pursuant to 28 U.S.C. § 1915(e)(2) and LR 4.3(d)(2).

A Report and Recommendation issued on this date recommends dismissal of all of the federal claims, except for Claims 1(b) and 2(a), as numbered in that Report and Recommendation, and the dismissal of all state law claims in the Third Amended Complaint, except for those identified in the Report and

¹Defendants are plaintiff's estranged wife, Jennifer M. Chalifoux; her father, James R. Cieslik; the Town of Tyngsborough, Massachusetts; Tyngsborough Police Department ("TPD") Officers Shawn Woods, Shaun Wagner, Mark Borque, and Cynthia Shay; TPD Chief Richard Howe; plaintiff's ex-wife Charlene Shute; Middlesex County Family and Probate Court Guardian Ad Litem Richard Wolman; Attorney Gail E. Bakis; Attorneys John A. James, Jamie Mauritz-James, Nick Halks, and Timothy Mauritz, all of the Law Offices of Jamie Mauritz-James; Scott Mustapha; and unnamed, unnumbered individuals who posted allegedly defamatory remarks on "Topix" and other websites, whom plaintiff identifies as "John and Jane Doe" or the "Does."


Recommendation as Claims 14(a) - 14(c). The Report and Recommendation further recommends that all defendants named in the Third Amended Complaint be dropped from the case, except for defendants Borque, Woods, and the Town of Tyngsborough.

Plaintiff has not prepared summonses for Borque, Woods, and the Town of Tyngsborough. The Clerk's Office is directed to send three blank summonses to plaintiff for him to complete and return to the Court. Upon receipt of the completed summonses, the Clerk's Office is directed to issue summonses for defendants Borque, Woods, and the Town of Tyngsborough, and to forward to the United States Marshal for the District of New Hampshire ("U.S. Marshal's office"): the summonses; the Third Amended Complaint (doc. no. 7); the Report and Recommendation issued on this date; and this Order. Upon receipt of the necessary documentation, the U.S. Marshal's office shall serve Woods and Borque, pursuant to Fed. R. Civ. P. 4(c)(3) and 4(e), and the Town of Tyngsborough, pursuant to Fed. R. Civ. P. 4(j)(2).

Borque, Woods, and the Town of Tyngsborough shall answer or otherwise plead in response to the Third Amended Complaint (doc. no. 7), and to the factual allegations relating to Claims 1(b), 2(a), and 14(a) - 14(c), as identified in the Report and Recommendation, within twenty-one days of service.

Plaintiff is instructed that all future pleadings, written motions, notices, or other filings shall be served on the defendants by delivering or mailing the materials to the defendants or their attorneys, pursuant to Fed. R. Civ. P. 5(b).

SO ORDERED.


Andrea K. Johnstone
United States Magistrate Judge

July 14, 2014

cc: Joseph W. Chalifoux, pro se